

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN THE MATTER OF:) **CHAPTER 7**
)
DEARBORN ADVISORS, LLC.) **CASE NO. 17-11596**
)
) **JUDGE BAER**
DEBTOR.) **HEARING DATE: 7/7/17**
) **11:00 AM**

**NOTICE OF MOTION OF DAVID R. BROWN, TRUSTEE, TO RETAIN
AUCTIONEER, TO SELL PERSONALTY FREE AND CLEAR OF LIENS AND
ENCUMBRANCES VIA PUBLIC AUCTION SALE, AND TO REDUCE 21 DAY
NOTICE OF SALE REQUIREMENT TO 18 DAYS**

TO: See Service List

PLEASE TAKE NOTICE that on **July 7, 2017**, at the hour of **11:00 A.M.**, we shall appear before the Honorable **Janet S. Baer**, U.S. Bankruptcy Judge, in **Courtroom 240** at the **Kane County Courthouse, 100 S. Third Street, Geneva, Illinois**, or any other judge sitting in her place and stead, and then and there present the *Trustee's Motion To Retain Auctioneer, to Sell Personalty Free and Clear of Liens and Encumbrances Via Public Auction Sale, and to Reduce 21 Day Notice of Sale Requirement to 18 days*, a copy of which is hereby served upon you.

AT WHICH TIME AND PLACE YOU MAY APPEAR AND BE HEARD

David R. Brown
SPRINGER BROWNL.L.C.
300 S. County Farm Road, Suite I
Wheaton, IL 60187
(630) 510-0000

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that a copy of the foregoing was served upon the parties listed on the Service List by depositing a copy thereof in the United States Mail at Wheaton, Illinois, first class postage prepaid, on June 19, 2017.

/s/ David R. Brown /s/

SERVICE LIST

ECF Service:

Patrick S. Layng, Esq.
United States Trustee
219 South Dearborn Street
8th Floor
Chicago, IL 60604
USTPRegion11.ES.ECF@usdoj.gov

Nathan Q. Rugg, Esq.
Adelman & Gettleman, Ltd.
53 W. Jackson Blvd.
Suite 1050
Chicago, IL 60604
nqrugg@ag-ltd.com

Scott H. Kenig, Esq.
Randall & Kenig LLP
455 North Cityfront Plaza Drive
NBC Tower
Suite 2510
Chicago, IL 60611
skenig@randall-law.com

U.S. Mail Service:

Dearborn Advisors, LLC
4030 Johnson
Western Springs, IL 60558

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN THE MATTER OF:)	CHAPTER 7
)	
DEARBORN ADVISORS, LLC.)	CASE NO. 17-11596
)	
)	JUDGE BAER
DEBTOR.)	HEARING DATE: 7/7/17
)	11:00 AM

**MOTION OF DAVID R. BROWN, TRUSTEE, TO RETAIN AUCTIONEER, TO SELL
PERSONALTY FREE AND CLEAR OF LIENS AND ENCUMBRANCES VIA PUBLIC
AUCTION SALE, AND TO REDUCE 21 DAY NOTICE
OF SALE REQUIREMENT TO 18 DAYS**

NOW COMES David R. Brown, Trustee, by his attorneys, Springer Brown, LLC, and in support of his Motion to Retain Auctioneer and to Sell Personalty Free and Clear of Liens and Encumbrances Via Public Auction Sale pursuant to Section 363(f)(2) of the United States Bankruptcy Code, respectfully represents as follows:

1. This case was commenced on April 12, 2017 by Debtor's filing of a Voluntary Petition for Relief under Chapter 7 of the United States Bankruptcy Code.
2. David R. Brown is the duly appointed and qualified Trustee herein.
3. The Schedules filed herein by Debtor indicate that at the time of commencement of this case, Debtor owned office furnishings, furniture and equipment (collectively the "sale assets") valued in the aggregate at approximately \$20,000.
4. The sale assets are currently located at Debtor's former premises at 2215 York Road, Suite 400, Oak Brook, Illinois.

5. Trustee desires to vacate Debtor's former premises by the end of July, 2017 in order to avoid substantial additional rental costs.

6. Trustee seeks to retain American Auction Associates, Inc. ("AAA") to conduct a public auction sale of the sale assets.

7. AAA has proposed to conduct such an auction on or about July 14, 2017, on the basis of a commission in the form of a buyer's premium not to exceed ten percent (10%) plus reimbursement of expenses.

8. AAA is a disinterested party herein and is properly bonded in accordance with local rules. A true copy of AAA's Affidavit of Disinterestedness, signed by its President, David Heath, is attached hereto and incorporated herein.

9. The sale assets are subject to a first priority security interest in favor of Barrington Bank that vastly exceeds the value of the sale assets.

10. Trustee and Barrington Bank have agreed to go forward with the auction sale, and to split the net proceeds of sale two-thirds to Barrington Bank, and one-third to this estate.

11. In order to ensure that the estate can vacate the Debtor's former premises before the end of July, Trustee further seeks entry of an Order reducing the twenty-one day notice period provided for in FRBP 2002 to eighteen days.

WHEREFORE Trustee prays for entry of an Order:

(1) authorizing Trustee to retain American Auction Associates, Inc. as auctioneer herein on the basis of a buyer's premium not to exceed ten percent plus expense reimbursement,

(2) authorizing Trustee to sell at public auction to be conducted on or about July 14, 2017 all of the inventory, equipment, furniture and furnishings of Debtor, free and clear of liens and encumbrances;

(3) providing that the net proceeds of sale be divided between the secured creditor, Barrington Bank and the estate on a two-thirds, one-third basis;

(4) reducing the twenty-one day notice period required by FRBP to eighteen days;
and

(5) providing such other and further relief as this Court deems just.

RESPECTFULLY SUBMITTED:
DAVID R. BROWN, TRUSTEE

By: /s/ David R. Brown /s/
One of his Attorneys

David R. Brown
Springer Brown, L.L.C.
300 S. County Farm Road
Suite I
Wheaton, IL 60187
(630) 510-0000